

Message Text

CONFIDENTIAL

PAGE 01 ADDIS 09042 011549Z

44

ACTION AF-18

INFO OCT-01 ISO-00 AID-20 IGA-02 OMB-01 TRSE-00 CIAE-00

DODE-00 PM-07 H-03 INR-11 L-03 NSAE-00 NSC-07 PA-04

RSC-01 PRS-01 SP-03 SS-20 USIA-15 IO-14 DRC-01 /132 W

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P 011419Z AUG 74

FM AMEMBASSY ADDIS ABABA

TO SECSTATE WASHDC PRIORITY 0355

C O N F I D E N T I A L ADDIS ABABA 9042

E.O. 11652: GDS

TAGS: PINS MASS, EAID ET US

SUBJECT: FAA SECTION 32: POLITICAL PRISONERS

REFS: (A) STATE 163654 AND PREVIOUS:

(B) ADDIS 8287 AND PREVIOUS

1. POL COUNSELOR MADE REPRESENTATIONS DIRECTED STATE REFTEL TO MOFA LEGAL ADVISOR, VICEMIN GETACHEW KIBRET, AUGUST1, LEAVING AID MEMOIRE.

2. VERBAL PRESENTATION ENCOMPASSED THEMES CITED PARA 2 A THROUGH D STATE REFTEL. IT ALSO COVERED CAREFUL EXPLANATION OF MEANING "SENSE OF CONGRESS" STATEMENT; RELATIONSHIP OF COMMUNICATION TO FY '75 HEARINGS; FACT FAA 1973, INCLUDING SECTION 32, PREPARED WELL PRIOR SALIENT EVENTS NOW DOMINATING ETHIOPIAN POLITICAL STAGE; AND TENOR CONGRESSIONAL THINKING/INTENT AS REFLECTED OTHER FAA PROVISIONS (CF PARA 4 STATE 68545).

3. LEGAL ADVISOR TOOK FULL NOTES OF PRESENTATION. HE ASKED WHETHER EMBASSY HAD HAD ANY LATITUDE AS TO TIMING ITS REPRESENTATIONS. HE WAS TOLD THAT WHILE EMBASSY HAD RECEIVED SOME LATITUDE ON TIMING, IT HAD JUDGED THAT AS PROCEEDINGS AGAINST CURRENTLY DETAINED PERSONALITIES EXPECTED CONTINUE FOR LENGTHY PERIOD OF TIME (CF ADDIS 8821 PARA 3), AND AS CONGRESSIONAL CONCERN NOTED SECTION 32 STATEMENT COULD CONCEIVABLY BE REFLECTED IN

CONFIDENTIAL

PAGE 02 ADDIS 09042 011549Z

STIPULATIONS 1975 FAA, IT HAD ON BALANCE APPEARED DESIRABLE

CONVEY INFORMATION SOONER RATHER THAN LATER. LEGAL ADVISOR THEN ASKED AGAIN WHAT SIGNIFICANCE SHOULD BE ATTACHED TO "SENSE OF CONGRESS" DECLARATION AND WAS GIVEN RESPONSE ALONG LINES PARA 4 STATE 150955. IT WAS NOTED IN THAT CONNECTION THAT TERM "POLITICAL PRISONERS" UNDEFINED, AND THAT AMENDMENT REQUIRING TERMINATION OF ASSISTANCE HAD FAILED OF ADOPTION (CF PARA 5 STATE 68545). LEGAL ADVISOR THEN ASKED WHY PRESENTATION NOT MADE TO FOREIGN MINISTER. HE WAS TOLD THAT LEVEL OF PRESENTATION DEEMED CONSONANT WITH SUBSTANCE AND US GOVERNMENT'S INTENT "TO INFORM."

4. LEGAL ADVISOR THEN SAID THAT HE WOULD BRING MATTER TO THE ATTENTION FOREIGN MINISTER AND PRIME MINISTER. HE APPRECIATED COMMENTS SETTING COMMUNICATION IN PERSPECTIVE, WHICH HE HAD NOTED IN FULL. HOWEVER, HE REGRETTED THAT IT HAD BEEN FOUND NECESSARY TO INFORM THE IMPERIAL GOVERNMENT IN ETHIOPIA'S CURRENT CIRCUMSTANCES. THE EMBASSY WOULD APPRECIATE THAT IN THESE CIRCUMSTANCES THE MATTER WOULD HAVE TO BE DISCUSSED "WITH PEOPLE OUTSIDE THE MINISTRY." THEY COULD CONSTRUE THIS VCOMMUNICATION AS ATTEMPTED INTERFERENCE IN ETHIOPIA'S INTERNAL AFFIARS, WHICH THEY COULD ONLY REJECT. POL COUKNSELOR NOTED THAT NO RPT NO SUCH INTERFERENCE INTENDED, AS TESTIFIED TO BY ORIGIN OF LEGISLATION, WHICH ANTEDATED CURRENT EVENTS WITHIN EMPIRE; ETHIOPIA NOT RPT NOT BEING SINGLED OUT; AND USG SIMPLY INFORMING IEG OF CONTINUING CONGRESSIONAL CONCERNS IN BELIEF THIS SERVED THE MUTUAL INTEREST. LASTLY, POL COUNSELOR URGED LEGAL ADVISOR PRESENT COMMUNICATION IN CONTEXT HIS UNDERSTANDING OF PRECISELY WHAT IS AND IS NOT INVOLVED, AS WELL AS THE CONTINUING ACTIONS OF US EXECUTIVE WITH REGARD TO ETHIOPIA, WHICH SPEAK FOR THEMSELVES. LEGAL ADVISOR PROMISED TO DO SO.

5.COMMENT: WE SHOULD EXPECT SENSITIVITIES OF IEG/AFCC, AND THEIR CONCERN WITH THE IMPLICATIONS FOR ETHIOPIA THAT THEY WILL SUSPECT COULD BE HIDDEN BEHIND THIS COMMUNICATION, TO BE COMMENSURATE WITH ETHIOPIA'S DEPENDENCE UPON US ASSISTANCE- - PARTICULARLY MILIARY- - AND THE DIMENSIONS OF ITS LEADERS' CURRENT PROBLEMS. WE SHOULD NOT EXPECT OUR EXPLANATIONS EASILY TO DULL OR ASSUAGE THESE CONCERNS AND MAY WELL HEAR MORE ABOUT THIS MATTER AT HIGHER LEVELS.

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PAGE 03 ADDIS 09042 011549Z

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